



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 02-090-B)

In re Application of:)
Bakthavatchalam et al.)
Serial No.: 09/910,442) Group Art Unit: 1624
Filed: July 20, 2001) Examiner: Habte, Kahsay
For: CAPSAICIN RECEPTOR LIGANDS)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449 and copies¹ of the documents listed thereon. These documents contain information that the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

United States Patents

1. U.S. Patent No. 4,439,606, issued March 27, 1984
2. U.S. Patent No. 4,450,272, issued May 22, 1984
3. U.S. Patent No. 5,354,747 issued August 11, 1994

¹ To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

4. U.S. Patent No. 5,422,064 issued June 6, 1995
5. U.S. Patent No. 5,461,047 issued October 24, 1995
6. U.S. Patent No. 5,789,412 issued August 4, 1998
7. U.S. Patent No. 6,028,195 issued February 22, 2000
8. U.S. Patent No. 6,169,088 issued January 2, 2001
9. U.S. Patent No. 6,329,395 issued December 11, 2001

Foreign Patent Documents

10. European Patent No. EP 0 100 200 A1 issued February 8, 1984
11. European Patent No. EP 0 100 200 B1 issued May 6, 1987
12. European Patent No. EP 0 790 240 A1 issued August 20, 1997
13. European Patent No. EP 1 122 242 A1 issued August 8, 2001
14. International Patent No. WO 00/17163 issued March 30, 2000
15. International Patent No. WO 00/27822 issued May 18, 2000
16. International Patent No. WO 00/52001 issued September 8, 2000
17. International Patent No. WO 00/63171 issued October 26, 2000
18. International Patent No. WO 02/05819 issued January 24, 2002
19. International Patent No. WO 94/29286 issued December 22, 1994
20. International Patent No. WO 96/01820 issued January 25, 1996
21. International Patent No. WO 96/02525 A1 issued February 1, 1996
22. International Patent No. WO 96/21648 issued July 18, 1996
23. International Patent No. WO 98/00402 issued January 8, 1998
24. International Patent No. WO 98/14431 issued April 9, 1998

25. International Patent No. WO 99/07672 issued February 18, 1999
26. International Patent No. WO 99/51582 issued October 14, 1999
27. International Patent No. WO 99/64394 issued December 16, 1999

Other Documents – Including Author, Title, Date, Pertinent Pages, Etc.

28. Kwak et al., Neuroscience (1998) 86: pp. 619-626.
29. Liu and Simon, Neuroscience Letters (1997) 228: pp. 29-32.
30. Ohkubo and M. Shibata, J. Dental Res. (1997) 76: pp. 848-851.
31. Pan and Sun, Tetrahedron Letters (1998) 39: pp. 9505-9508.
32. Santos and Calizto, Neuroscience Letters (1997) 235: pp. 73-76.
33. Urban, et al., Pain 89 (2000) pp. 65-74.
34. Wu et al., Gen Pharmacol (1996) 27: pp. 151-158.
35. Mokrosz et al (1992) J. Med. Chem. 35:2369-74 - note compound 31 on page 2370.
36. Prasad et al. (1968) J. Med. Chem. 11:1144-50 – note table 4.

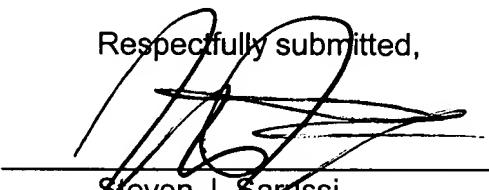
In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each

document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Steven J. Sarussi
Reg. No. 32,784

Dated: July 2, 2003